

1 Ryan Lucksinger, Chapter 7 Trustee
2 PO BOX 1257, Rocklin, CA 95677
2 (916) 580-3366

3 UNITED STATES BANKRUPTCY COURT
4 EASTERN DISTRICT OF CALIFORNIA
5 Sacramento Division

6
7 **In Re,**) Case No. 10-29303- A -7
8 **WYANT, BRETT LEON**) DCN: FRL - 01
9 **& WYANT, CATHERINE MARY**) DATE: July 19, 2010
10 ,Debtor(s)) TIME: 9:00 a.m.
10) DEPT: A, Courtroom 28, 7th Floor

11 **TRUSTEE'S VERIFIED MOTION FOR ORDER ABANDONING REAL PROPERTY**
12 **AND VERIFICATION**

13 Ryan Lucksinger, the duly appointed trustee for the bankruptcy estate of the above-
14 referenced Debtor(s), hereby moves the Court for an order abandoning the estate's interest,
15 effective as of the petition date, in the following property of the estate commonly described as:
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- 18 • **4850 Knightswood Way, Granite Bay, CA 95746 (“Property 1”) &**
 - 19 • **5312 15th Avenue, Sacramento, CA 95820 (“Property 2”)**

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21 In support of this application the Trustee represents as follows:

22 1. Wyant, Brett Leon & Wyant, Catherine Mary (“Debtor(s)”) filed a Chapter 7
23 petition on 04/12/10.

24 2. Ryan Lucksinger has been appointed the Chapter 7 Trustee herein.

25 The first 341(a) Meeting of Creditors was 05/21/10.

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28 3. **Property 1** - Real property listed in Schedule A and has been valued by the Debtor
at \$450,000. The Trustee has researched the value of this real estate and estimates

there is negative equity of \$225,000 as a result of the two liens listed in Schedule D; a first is a deed of trust lien in favor of Wells Fargo HM Mortgage in the amount of \$599,534 and the second is a deed of trust lien in favor of Wells Fargo Bank N.A. in the amount of \$75,254.

4. Property 2 - Real property listed in Schedule A and has been valued by the Debtor at \$80,000. The Trustee has researched the value of this real estate and estimates there is negative equity of \$140,000 as a result of the lien listed in Schedule D; a first deed of trust lien in favor of Bank of America in the amount of \$220,000.

Based on the scheduled value(s) of the real property, the Trustee's independent investigation ascertaining recent comparable property sales, and the liens on the properties, the Trustee has concluded that the real property has no or inconsequential value and has no benefit to the estate.

WHEREFORE, Ryan Lucksinger respectfully requests that the Court enter an order the property described above is abandoned pursuant to 11 U.S.C. §554(a) effective as of the petition date and granting such other relief as is just and proper.

DATED: June 14, 2010

/s/ Ryan Lucksinger
Ryan Lucksinger, Trustee

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2 **VERIFICATION**
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5 I, Ryan Lucksinger, hereby declare under penalty of perjury:
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8 1. I am the Trustee in this case.
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11 2. I have reviewed the **TRUSTEE'S VERIFIED MOTION FOR ORDER**
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13 **ABANDONING REAL PROPERTY AND VERIFICATION** and it is true and correct
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15 and if called I would so testify.
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18 **DATED: June 14, 2010**

19 /s/ Ryan Lucksinger
20 Ryan Lucksinger, Trustee
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